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Express Mail Label No.: EV 325989941 US

Date of Deposit: August 19, 2004

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Botstein, et al.

Appln. No.: 09/944,896

Filed: August 30, 2001

For: SECRETED AND TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC ACIDS
ENCODING THE SAME

Examiner: O'Hara

Art Unit: 1646

Attorney Docket No: 10466/138-1 (P2548P1C19)

Mail Stop RCE
Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.114)

Sir:

Applicant(s) requests continued examination of the above-identified application under 37 C.F.R. §1.114.

☒ Submission under 37 CFR 1.114 (check at least one of the following):

☐ Previously submitted:

- ☐ Applicant(s) requests nonentry of any previously-filed unentered amendments.
- ☐ Please enter and consider the Amendment After Final Under 37 C.F.R. §1.116 previously filed on _____
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other: _____

☒ Attached is/are:

- ☐ An Information Disclosure Statement
- ☐ An Amendment to the written description, claims, or drawings
- ☒ New Arguments and/or New Evidence in support of Patentability
- ☐ Other: _____

☐ Request for suspension of action:

Applicant(s) hereby request suspension of action on the above-identified application under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 C.F.R. §1.17(i)).

☐ Small Entity Status:

☐ Applicant hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.

☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. _____ / _____ and such status is still proper and desired.

☐ Is no longer desired.

☒ Applicant(s) calculate the following fees to be due in connection with this Request:

☒ A Request fee of \$770.00 under 37 C.F.R. §1.17(e).

☐ A suspension processing fee of \$_____ under 37 C.F.R. §1.17(i).

☐ An additional filing fee of \$_____ under 37 C.F.R. §1.16 (_____ additional independent claims and/or _____ additional total claims).

☒ An extension fee of \$110.00 under 37 C.F.R. §1.17(a) for a 2-month extension of time.

☒ Fee payment to cover the above-enumerated fee(s):

☒ A check in the amount of \$880.00 is enclosed.

☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A copy of this Request is enclosed for this purpose.

☐ A payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE). A copy of this Request is enclosed for this purpose.

Respectfully submitted,

19 August 2004
Date

Attachment(s):

C. Noel Kaman
C. Noel Kaman (Reg. No. 51,857)



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Our Case No. 10466-138
P2548P1C19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Botstein et al. ✓)	
)	Examiner O'Hara
Serial No. 09/944,896)	
)	
Filing Date: 8/30/2001)	Group Art Unit No. 1646
)	
For SECRETED AND)	
TRANSMEMBRANE)	
POLYPEPTIDES AND NUCLEIC)	
ACIDS ENCODING THE SAME)	

AMENDMENT AND REQUEST FOR CONTINUED EXAMINATION

Commissioner for Patents
P.O. Box 1450 - MS RCE
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed April 19, 2004, please amend the above-identified application as follows:

Amendments to the Specification may be found at page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks / Arguments begin on page 8 of this paper.